

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

AGWAY FARM & HOME SUPPLY, LLC,

Debtor.¹

Chapter 11

Case No. 22-10602 (JKS)

RE: D.I. 637

**ORDER GRANTING MOTION OF THE DEBTOR AND DEBTOR-IN-POSSESSION
FOR ORDER PURSUANT TO 11 U.S.C. § 105(a) AND FED. R. BANKR. P. 9019(b)
AUTHORIZING AND APPROVING SETTLEMENT WITH BINGHAMTON AGWAY**

Upon the Motion for Order Pursuant to 11 U.S.C. 105(a) and Fed. R. Bank. P. 9019(b) Authorizing and Approving Settlement with Binghamton Agway (the “Motion”) filed by the debtor and debtor in possession in the above-captioned case (the “Debtor”); and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that the relief requested in the Motion is necessary to the ongoing orderly operation of the Debtor’s business and is in the best interests of the Debtor, its estate, and its creditors; and it appearing that the notice of the Motion having been given as set forth herein was appropriate and that no other or further notice need by given; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

¹ The last four digits of the Debtor’s federal tax identification number are 1247. The Debtor’s address is 6606 W. Broad Street, Richmond, VA 23230.

2. The Debtor is authorized to enter into the settlement agreement (the “Settlement Agreement”) with Binghamton Agway.

3. The Debtor is authorized to execute any documents necessary to carry out the provisions as contemplated in the Settlement Agreement.

4. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and Rule 9013- 1(m) of the Local Rules of the United States Bankruptcy Court for the District of Delaware are satisfied by such notice.

5. This Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

Dated: June 20th, 2023
Wilmington, Delaware


J. KATE STICKLES
UNITED STATES BANKRUPTCY JUDGE